

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.50249 of 2025**

Arising Out of PS. Case No.-58 Year-2025 Thana- Madhubani T District- Purnia

Md. Shamim @ Md. Shamim Ansari Son of Late Sheikh Khalil Resident of  
Mirza Hata ward no 7, Oli tola PS- Madhubani District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner : Md. Fazle Karim , Advocate  
For the State : Mr. Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      29-07-2025                      Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case  
registered for the offence punishable under Section 30(a) of the  
Bihar Prohibition and Excise Act.

3. As per prosecution case, 3.600 litres illicit foreign  
liquor was recovered from the courtyard of house of this  
petitioner.

4. Learned counsel appearing for the petitioner  
submits that petitioner is innocent and has falsely been  
implicated in this case. No incriminating material has been  
recovered from the conscious possession of this petitioner and  
he is in no way connected with the aforesaid recovery.

5. On the other hand, learned APP appearing for the



State submits that petitioner is not entitled to the privilege of anticipatory bail in view of decision of the Full Bench of this Hon'ble Court rendered in the case of *Ram Vinay Yadav vs. The State of Bihar* reported in *2019(2) P.L.J.R. 1089 (F.B.)*. Petitioner has got two criminal antecedents of similar nature.

6. Considering the aforesaid decision of this Hon'ble Court and the fact that petitioner has got two criminal antecedents of similar nature, the prayer for grant of anticipatory bail to this petitioner is rejected.

**(Prabhat Kumar Singh, J)**

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